



PATENT

#9/Election  
13103  
D Bell

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Mossberg

Serial No.: 09/811,081

Filed: March 16, 2001

For: Holographic Spectral Filter

Examiner: A. V. Amari

Group Art Unit: 2872

Attorney Docket No. 5455.P001

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January 17, 2003

Date of Deposit

Angie C. Farr

Name of Person Mailing Correspondence

Angie C. Farr 1-17-03

Signature

Date

Assistant Commissioner for Patents  
Washington, D.C. 20231

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RESPONSE TO REQUIREMENT FOR RESTRICTION

Sir:

In response to the Office Action mailed December 31, 2002, Applicant respectfully requests that the following election be entered and the following remarks considered.

**REQUIREMENT FOR RESTRICTION**

In the Office Action mailed December 31, 2002, the Examiner indicated (at page 2) that the Applicant is required to elect one of the following claim groups for prosecution:

Group	Claims	Classification
I	1-55, 87-105	Class 359, Subclass 29
II	56-86	Class 430, Subclass 1, 2

The Examiner further indicated (at page 3) that the Applicant is required to elect, for the selected claim group, a single disclosed species for prosecution. The species for the Group I and Group II claims, respectively, are indicated to be:

Group I Species	
Species 1	Claims 1-11, 26-33, 36-44
Species 2	Claims 12-25, 34, 35, 45-55
Species 3	Claims 87-103
Species 4	Claims 104 and 105

Group II Species	
Species 1	Claims 56, 57
Species 2	Claims 58-81
Species 3	Claims 82-86

**ELECTION**

Applicant elects to prosecute the claims of Group I, Species 2, which includes claims 12-25, 34, 35, and 45-55.

**CONCLUSION**

Any questions regarding this election may be directed to the Applicant's undersigned attorney.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, L.L.P.

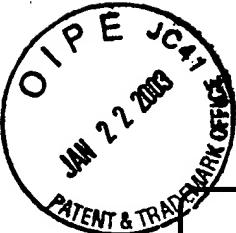
Date: January 17, 2003

  
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2872



PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	7	Application No.	09/811,081
		Filing Date	March 16, 2001
		First Named Inventor	Thomas W. Mossberg
		Group Art Unit	2872
		Examiner Name	Amari, Alessandro V.
		Attorney Docket Number	5455P001

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> -Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> PTO/SB/08	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Basic Filing Fee		
<input type="checkbox"/> Declaration/POA		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

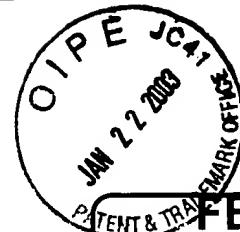
Firm or Individual name	Kerry D. Tweet, Reg. No. 45,959 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	January 17, 2003

### CERTIFICATE OF MAILING/TRANSMISSION

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Typed or printed name	Angie C. Farr		
Signature		Date	January 17, 2003

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# FEET TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

## Complete if Known

Application Number	09/811,081
Filing Date	March 16, 2001
First Named Inventor	Thomas W. Mossberg
Examiner Name	Amari, Alessandro V.
Group/Art Unit	2872
Attorney Docket No.	545SP001

## METHOD OF PAYMENT (check one)

Check     Credit card     Money Order     Other     None

Deposit Account

Deposit Account Number **02-2666**Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below     Credit any overpayments

Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1001	750	2001	375	Utility filing fee
1002	330	2002	165	Design filing fee
1003	520	2003	260	Plant filing fee
1004	750	2004	375	Reissue filing fee
1005	160	2005	80	Provisional filing fee
SUBTOTAL (1)		(\$)		

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	- 20** = <input type="text"/>	X <input type="text"/> = <input type="text"/>	
Multiple Dependent	- 3 = <input type="text"/>	X <input type="text"/> = <input type="text"/>	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple Dependent claim, if not paid
1204	84	2204	42	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$)		

\*or number previously paid, if greater, For Reissues, see below

## 3. ADDITIONAL FEES

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath			
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet			
2053	130	2053	130	Non-English specification			
1812	2,520	1812	2,520	For filing a request for ex parte reexamination			
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action			
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action			
1251	110	2251	55	Extension for reply within first month			
1252	410	2252	205	Extension for reply within second month			
1253	930	2253	465	Extension for reply within third month			
1254	1,450	2254	725	Extension for reply within fourth month			
1255	1,970	2255	985	Extension for reply within fifth month			
1404	320	2401	160	Notice of Appeal			
1402	320	2402	160	Filing a brief in support of an appeal			
1403	280	2403	140	Request for oral hearing			
1451	1,510	2451	1,510	Petition to institute a public use proceeding			
1452	110	2452	55	Petition to revive - unavoidable			
1453	1,300	2453	650	Petition to revive - unintentional			
1501	1,300	2501	650	Utility issue fee (or reissue)			
1502	470	2502	235	Design issue fee			
1503	630	2503	315	Plant issue fee			
1460	130	2460	130	Petitions to the Commissioner			
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)			
1806	180	1806	180	Submission of Information Disclosure Stmt			
8021	40	8021	40	Recording each patent assignment per property (times number of properties)			
1809	750	1809	375	Filing a submission after final rejection (37 CFR § 1.129(a))			
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))			
1801	750	2801	375	Request for Continued Examination (RCE)			
1802	900	1802	900	Request for expedited examination of a design application			
Other fee (specify)							

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Kerry D. Tweet	Registration No. (Attorney/Agent)	45,959	Telephone	(503) 684-6200
Signature				Date	01/17/03

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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